



ARRANGEMENT

ARRANGEMENT UNDER SECTION 20A OF THE AUSTRALIAN CRIME COMMISSION ACT 2002 (CTH) IN RELATION TO THE PROVISION OF INFORMATION, DOCUMENTS OR THINGS BY A PERSON OR CLASS OF PERSONS UNDER SECTION 19A OR 20 OF THE ACT

The Honourable Michael Keenan MP, Minister for Justice of the Commonwealth of Australia

The Honourable Colin Barnett MLA, Premier of the State of Western Australia

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Date

This Arrangement is dated

Parties

This Arrangement is made between the following Parties:

1. **The Honourable Michael Keenan MP**, Minister for Justice of the Commonwealth of Australia
(the **Commonwealth Minister**)
2. **The Honourable Colin Barnett MLA**, Premier of the State of Western Australia
(the **State Minister**)

Context

This Arrangement is made in the following context:

- A The Australian Crime Commission (**ACC**) has both intelligence and investigative functions and capabilities and a range of coercive powers. These coercive powers can only be exercised where an ACC operation/investigation has been authorised by the ACC Board.
- B. Cooperation between agencies of the Commonwealth and the States and Territories is vital to combating serious and organised crime. While such cooperation often takes place on a voluntary basis, there are times where this is not possible due to legislative barriers (e.g. secrecy provisions).
- C. Sections 19A to 20A of the *Australian Crime Commission Act 2002 (Cth)* (**ACC Act**) are designed to assist the Commonwealth and the States and Territories to overcome these situations in a cooperative and mutually beneficial manner. Sections 19A and 20 give ACC Examiners the power to request or require information, documents or things relevant to an ACC investigation/operation held by a Commonwealth agency or a State or Territory agency.
- D. The powers contained in sections 19A to 20 of the ACC Act are exercisable in relation to a State or Territory agency only in accordance with an arrangement in force under s 20A of the ACC Act between the Commonwealth Minister and the appropriate State or Territory Minister. This Arrangement is made under section 20A of the ACC Act and its purpose is to establish a framework for agencies of the State of Western Australia to provide information, documents or things to ACC Examiners under sections 19A and 20 of the ACC Act.

Operative provisions

In consideration of the mutual promises contained in this document, the Parties to this Arrangement agree as follows:

1. Interpretation

1.1. Definitions

1.1.1. Unless the contrary intention appears a term in bold type has the meaning shown opposite it:

ACC Act	means the <i>Australian Crime Commission Act 2002</i> (Cth)
Document	has the same meaning as in the <i>Evidence Act 1995</i> (Cth)
Examiner	has the same meaning as in the ACC Act
Item	means an item in Schedule 1 of this Arrangement
Party	means a party to this Arrangement, and 'Parties' has a corresponding meaning
State Agency	means an agency which is specified in the Table
Table	means the table in Item A .

2. Term

2.1.1. This Arrangement commences when it has been signed by each Party and continues until it is revoked in accordance with clause 5.2.

3. Scope of requests or requirements for information, Documents or things

3.1.1. An Examiner may request, or require the provision of, the information, Documents or things specified in column B of the Table from the respective State Agency specified in column A of the Table.

4. Conditions attaching to provision of information, Documents or things

4.1.1. The provision of any information, Document or thing by a State Agency in response to a request or requirement by an Examiner under clause 3 is subject to:

- any secrecy provisions specified in Item B and
- any other conditions specified in Item C.

5. General provisions

5.1. Variation

5.1.1. A variation of this Arrangement is binding only if agreed in writing and signed by the Parties in accordance with section 20A(7) of the ACC Act.

5.2. Revocation

5.2.1. The Commonwealth Minister may revoke this Arrangement at any time in accordance with section 20A(5) of the ACC Act by giving written notice to the State Minister.

5.2.2. In accordance with section 20A(6) of the ACC Act, the State Minister may request in writing that the Commonwealth Minister revoke this Arrangement. The Commonwealth Minister must comply with that request in accordance with section 20A(6).

5.3. Dispute resolution

5.3.1. Any disputes arising under this Arrangement will be referred to the Commonwealth Minister and the State Minister for resolution.

SCHEDULE 1 ARRANGEMENT DETAILS

A. Table of information, Documents or things that may be requested or required

(See clause [3.1.1](#))

A. Agency	B. Information, Document or thing
<ul style="list-style-type: none"> • Gold Corporation • Western Australian Mint and • GoldCorp Australia <p>including:</p> <ul style="list-style-type: none"> • any subsidiary of Gold Corporation (being a body determined to be a subsidiary of Gold Corporation pursuant to section 3(3) <i>Gold Corporation Act 1987 (WA)</i>) • any entity operating or trading under another name pursuant to section 4(4) <i>Gold Corporation Act 1987 (WA)</i> and • the Board, being the board of directors of Gold Corporation constituted under section 5 <i>Gold Corporation Act 1987 (WA)</i>. 	<p>Account Holder Details:</p> <ul style="list-style-type: none"> • Name • DOB • Place of residence • Business Entity name • Registered Identity of the Business • Place of Registration • Principle place of business • Responsible officer for purpose of operation of account/conduct of transactions. <p>Account details:</p> <ul style="list-style-type: none"> • Opening and closing dates • Transaction history including information/documents/things relating to: <ul style="list-style-type: none"> ➢ Establishment of the account – forms completed; copies of proof of identity documents supplied; copy of signatures of person authorised to operate account; electronic means by which identity to be established/used to conduct transactions ➢ Operation of the account – including specified transactions or range of transactions; account statements, other documentation/information detailing transactions or status of the account; ➢ Closure of the account – forms completed ➢ instructions provided; details as to direction of residual funds/ bullion. <p>Staff details:</p> <ul style="list-style-type: none"> • Name • DOB • Place of residence • Nominated next of kin/nominated contact person(s) – including particulars of contact and any previous nominations and those persons' details • Probity information – probity and history checks • Commencement date and date of termination • Information pertaining to allegations of integrity issues arising during employment – including details of any internal investigations, termination resulting from disciplinary action or resignations arising at time of/before disciplinary action or internal investigations.

B. Secrecy provisions

(See clause Error! Reference source not found.)

NIL

C. Conditions attaching to supplied information, Documents or things
(See clause Error! Reference source not found.)

NIL

Signed, Sealed and Delivered.

Signatures

SIGNED by the Honourable Michael Keenan MP, the Minister for Justice of the Commonwealth of Australia:

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Signature

SIGNED by the Honourable Colin Barnett MLA, Premier of the State of Western Australia:

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Signature